

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF NEW YORK

STATE FARM MUTUAL AUTOMOBILE
INSURANCE COMPANY and STATE FARM FIRE
& CASUALTY COMPANY,

Plaintiffs,

v.

ELECTROPHYSIOLOGIC MEDICAL
DIAGNOSTICS, P.C., DINA S. NELSON, M.D.,
LIYE LI, M.D., JEAN BAPTISTE SIMEON, M.D.,
YUQING ZHANG, M.D., NABIL ELHADIDY,
M.D., and ELIZABETH CHANDLER, M.D.,

Defendants.

MEMORANDUM
AND ORDER ADOPTING
REPORT AND
RECOMMENDATION

18-CV-7467 (LDH) (ST)

LASHANN DEARCY HALL, United States District Judge:

On March 29, 2019, United States Magistrate Judge Steven Tiscione issued a Report and Recommendation recommending that this Court grant Plaintiff's motion for default judgment as to liability for common law fraud and dismiss Plaintiff's unjust enrichment and aiding and abetting fraud claims as duplicative. The parties were given until April 12, 2019, to file objections to the Report and Recommendation. No objections have been filed. Where no objections to a Report and Recommendation have been filed, "the district court need only satisfy itself that there is no clear error on the face of the record." *Estate of Ellington ex rel. Ellington v. Harbrew Imports Ltd.*, 812 F. Supp. 2d 186, 189 (E.D.N.Y. 2011) (quoting *Urena v. New York*, 160 F. Supp. 2d 606, 609–10 (S.D.N.Y. 2001)). The Court has reviewed the record and the Report and Recommendation for clear error and, finding none, hereby adopts Magistrate Judge Tiscione's Report and Recommendation in its entirety as the opinion of the Court. Accordingly, Plaintiff's motion for default judgment is GRANTED as to liability for common law fraud. Plaintiff's remaining claims are dismissed.

SO ORDERED:

Dated: Brooklyn, New York
April 23, 2020

/s/ LDH
LASHANN DEARCY HALL
United States District Judge